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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BALAOING, ARIEL A

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

06/01/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

### Continuation of 11:

1. Applicant's arguments filed 05/19/2009 have been fully considered but they are not persuasive.

Regarding the applicant's arguments that *"Applicants respectfully disagree with the Examiner's assertion that determining where a slot starts as a result of a PSC correlation peak somehow translates into determining a frame as function of the PSC correlation peak. This is simply not the case in the wireless system described in New. The start of a frame is determined as a function of the SSC correlation peak. (New, paragraph [0029]" (see page 7 of the remarks); the examiner respectfully disagrees. While frame synchronization occurs using the secondary synchronization, slot synchronization is used to determine the start of a frame. This is further supported by the applicant's description of the prior and specifically description of cell search techniques used by UMTS system. For example, paragraph 4 of the applicant's disclosure states that "As part of cell search, the UMTS receiver first uses the PSCH to achieve slot synchronization. In the regard, the UMTS receiver correlates received samples of the received PSCH ... and, based on the location of the correlation peak, determines a slot reference time. Once the slot reference time is determined, the UMTS receiver is slot synchronized and can determine when each slot starts in a received radio frame." (emphasis added). Therefore, the slot peaks disclosed by NEW would indicated when a slot starts in a received radio frame and could then be used for frame synchronization.*

Furthermore, the applicant argues “*Second, Applicants' claim 14 clearly requires determining a number of frames to process as a function of the peak correlation value found during slot synchronization. Nowhere does New describe determining such a number using the peak correlation value found during slot synchronization. It simply is not there*” (see page 7 of the remarks); the examiner respectfully disagrees. As shown for example in Figure 3, a number of frame peaks are found at step **308**. Each peak correlation corresponds to a number of peaks found and is processed with respect to the slot synchronization.

2. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARIEL BALAOING whose telephone number is (571)272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, V. Paul Harper can be reached on (571) 272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

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